GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA

UNSTARRED QUESTION NO:889
ANSWERED ON:04.03.2008
RIGHT TO EDUCATION BILL,2006
Adhalrao Patil Shri Shivaji;Ahir Shri Hansraj Gangaram;Meghwal Shri Kailash;Patil Smt. Rupatai Diliprao Nilangekar;Verma Shri Ravi Prakash

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the State Governments and other stakeholders have raised various objections on the Right to Education Bill;

(b) if so, the details thereof;

(c) whether the Union Government has set up a committee to re-draft the Right to Education Bill, 2006;

(d) if so, the details thereof; and

(e) the time by when the said committee is likely to submit its report and introduce the aforesaid Bill?

Answer

MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI M.A.A. FATMI)

(a)to(e): Article 21 A of the Constitution makes education a Fundamental Right for children in the age group of 6-14 years by providing that "the State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine".Based on the recommendations of the High Level Group (HLG) comprising Minister of Human Resource Development,Finance Minister,Deputy chairman,Planning Commission and Chairman of the Prime Minister's Economic Advisory Council constituted by the Prime Minister in November, 2005 to consider the legal, constitutional and financial implications of the Right to Education,a draft Model Right to Education Bill, 2006 as well as the proposals to incentivise the States to adopt the Model Bill were circulated to the States for their comments.The main objections raised by the States and UTs relate to:

1. Proposal regarding replacement of the Central Legislation by a Model Bill for State Legislation.

2. Linkage of SSA funding with State/UT enactment of Model Right to Education Bill or modification of existing State/UT Acts.

3. Making elementary education first charge on revenues of each State Government, next only to law and order.

4. Financial liability for free and compulsory education to be borne by the States/UTs. Keeping in view the concerns of the States as also further discussions in various forums, which included members of the HLG, and the rationale of the 86th Constitutional Amendment,the matter regarding enactment of a Central Legislation on Right to Education is under consideration of the Government.